

MAY 25 2019

United States District Court

SOUTHERN

DISTRICT OF  
MCALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA  
V.

CRIMINAL COMPLAINT

Juan Antonio Santiago Jr. PRINCIPAL  
YOB: 1986  
United States

Case Number:

M-19-1216-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 24, 2019 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Angel De Jesus Castillo-Martinez, a citizen and national of Mexico, and Miguel Fabricio Ayala-Rivas, a citizen and national of El Salvador, who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said alien in furtherance of such violation of law within the United States, that is, from a location near Mission, Texas to another location near Granjeno, Texas, by means of a motor vehicle,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

On May 24, 2019, a Border Patrol Agent observed a white sports utility vehicle (SUV) stop on the side of the road in Mission, Texas, where about six subjects ran out of the wooded area and boarded the SUV. The Agent followed the white SUV and attempted to stop the vehicle by activating his emergency lights. After the SUV momentarily stopped, the Agent observed multiple subjects exit the vehicle and abscond into a wooded area. The driver of the SUV then continued to drive for a short time and the Agent continued to follow the vehicle.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

S/ Gerardo Montalvo

Signature of Complainant

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

Gerardo Montalvo Border Patrol Agent

Printed Name of Complainant

May 25, 2019 2:52 p.m.  
Date

at McAllen, Texas  
City and State

Peter E. Ormsby, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Peter E. Ormsby  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-19-1216 -M**

**RE: Juan Antonio Santiago Jr.**

**CONTINUATION:**

The SUV stopped a second time and the Agent approached the vehicle. The Agent identified the driver as Juan Antonio Santiago Jr., a United States citizen. Assisting Agents were able to locate six subjects, who were illegally present in the United States, hiding in the wooded area near the bailout location. All subjects were placed under arrest and transported to the Border Patrol Station for processing.

**PRINCIPAL STATEMENT:**

Juan Antonio Santiago Jr. was advised of his Miranda Rights and agreed to provide a sworn statement without an attorney.

Santiago stated that a male subject, whom he didn't know, offered him money to pick up people, to which he agreed. Santiago later changed his statement by saying he was supposed to pick "something" up but didn't know what it was. Santiago claims that the man who offered him the job went with him and gave him the directions to a location in Mission, Texas. Santiago stated he then saw several subjects running to his vehicle and realized that they were illegal aliens. Santiago stated that he drove away after the subjects boarded his vehicle. Santiago stated that when he saw law enforcement, he stopped and gave an instruction to get out of his vehicle.

**MATERIAL WITNESSES' STATEMENTS:**

Angel de Jesus Castillo-Martinez and Miguel Fabricio Ayala-Rivas were read their Miranda Rights and agreed to provide a sworn statement without an attorney.

Castillo, a citizen of Mexico, stated his family made his smuggling arrangements and paid about \$5,000 (USD). Castillo stated he was crossed into the United States on a raft. Castillo stated that the rafter instructed them where to walk and also instructed them to board a white vehicle. Castillo stated that once the vehicle arrived, the rafter instructed them to board it. When Agents were behind the vehicle, Castillo recalled someone seated in the front saying that the plan was ruined and instructed him and the others to run out of the vehicle. Castillo referred the driver as a male subject.

Ayala, a citizen of El Salvador, stated his friend made his smuggling arrangement for a fee of \$13,000 (USD). Ayala stated he crossed the river with other people and waited for the pickup vehicle. Ayala stated that a white vehicle eventually showed up and they were instructed to board it. Ayala stated that after driving away, the driver suddenly came to a stop and instructed them to get out and run away. Ayala described the driver as a male subject.